IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OHIO

EASTERN DIVISION

I, MICHAEL R. KURKJIAN, Special Agent of the Federal Bureau of Investigation,
United States Department of Justice, hereinafter referred to as Affiant, being duly sworn under
oath, hereby deposes and states as follows:

INTRODUCTION

- 1. Affiant is an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7) and Federal Rule of Criminal Procedure 41(a)(2)(C), as a Special Agent (SA) of the Federal Bureau of Investigation (FBI). Affiant is empowered to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516.
- 2. Affiant has been employed by the FBI since August of 2010, and has been assigned to the investigation of violent crime matters in the Cleveland Division for approximately the past three months. Affiant has been charged with the investigation of federal crimes involving bank robberies, drugs, weapons violations, interstate transportation of stolen property, and other general criminal offenses in the Northern District of Ohio. At all times during the investigation described in this Affidavit, Affiant has acted in an official capacity as a Special Agent of the FBI.
- 3. Affiant has participated in all of the usual methods of investigation, including, but not limited to, physical surveillance, the questioning of witnesses, and the analysis of evidence.

 Affiant has reviewed and executed search warrants resulting in the seizure of illegal weapons,

drugs, and stolen property. Affiant has supervised the activities of informants and participated in the execution of consensual monitoring and court ordered Title III wiretaps.

- 4. This affidavit is offered in support of an arrest warrant for ERIC GOOCH for one count of armed bank robbery, in violation of Title 18, US Code, Section 2113(a) & (d) and one count of using or carrying a firearm during the commission of a crime of violence, in violation of Title 18, US Code, Section 924(c).
- 5. The statements contained in this affidavit are based in part on information developed by other Special Agents of the FBI, and Officers of the Cleveland Police Department who participated in the investigation. Unless otherwise noted, whenever in this affidavit your Affiant asserts that a statement was made, the information was provided by another law enforcement officer or an investigator (who may have had either direct or hearsay knowledge of the statement) to whom your Affiant has spoken or whose report your Affiant has read and reviewed. Likewise, any information pertaining to vehicles and registrations, personal data on subjects, and records checks, has been obtained through the Law Enforcement Automated Data System (LEADS), various state driver's license motor vehicle records, online database searches or the National Crime Information Center (NCIC) computers, various open source databases such as CLEAR and LexisNexis, and public social media websites such as Facebook, Instagram and Twitter.

FACTS AND CIRCUMSTANCES REGARDING PROBABLE CAUSE

- A. February 22, 2013 Bank Robbery-PNC Bank
- 6. On February 22, 2013, Affiant and members of the FBI/Cuyahoga Violent Crime Task Force responded to a report of a bank robbery at PNC Bank, located at 16114 Harvard Avenue, Cleveland, Ohio, located in the Northern District of Ohio, Eastern Division.

- 7. A male security guard advised that on February 22, 2013, two unknown black males, one taller than the other, entered PNC Bank wearing hoods covering their heads. Per bank policy, the security guard asked the two black males to remove their hoods. The two men complied. The taller black male, later identified as ERIC GOOCH (GOOCH), proceeded directly to the teller counter, while the shorter black male (UNSUB) waited in the lobby area near the security guard at the front entrance of PNC Bank. GOOCH asked the teller for change and after receiving an unknown amount of money, GOOCH and UNSUB exited the bank. The security guard described GOOCH as clean shaven and UNSUB as having a thin moustache.
- 8. On February 22, 2013, Affiant reviewed PNC Bank camera surveillance still photographs from February 22, 2013, which Affiant received from a PNC Bank employee. A color PNC Bank camera surveillance still photograph, time stamped 11:40 a.m. depicted GOOCH and UNSUB entering the PNC Bank. A color PNC Bank camera surveillance still photograph, time stamped 11:41 a.m., depicted GOOCH and UNSUB exiting the PNC Bank. Two color PNC Bank camera surveillance still photographs, timed stamped 11:40 a.m., depicted GOOCH wearing a black jacket with white trim, a red and blue Cleveland Indians baseball hat, black glasses, black gloves, light colored pants and a tan\khaki colored backpack. Two color PNC Bank camera surveillance still photographs, time stamped 11:41 a.m., depicted UNSUB wearing a grey hooded sweatshirt, jeans, black gloves, a dark colored article of clothing around his neck and a grey, flat brim, Los Angeles Dodgers baseball hat.
- 9. On February 22, 2013, approximately 20 minutes later, UNSUB described as approximately 5'7" by a male bank employee, re-entered the PNC Bank. A female teller stated that upon entering PNC Bank, UNSUB yelled, "Everybody get on the f---ing ground!" The female teller, immediately upon seeing UNSUB with the handgun and hearing his demand, hit

the bank's silent alarm. The customers and employees located in the bank, knowing that UNSUB was robbing the bank and in fear for their lives, complied with the UNSUB's demand and laid down on the ground. Another female teller advised that UNSUB was wearing jeans, a grey colored hooded sweatshirt with the hood covering his head, black gloves and black, half-face mask. The description of the jeans and the hooded sweatshirt matched the clothing worn by UNSUB depicted in the PNC Bank camera surveillance still photographs, time stamped 11:41 a..m., when the UNSUB initially entered the PNC Bank with GOOCH approximately 20 minutes earlier. UNSUB then instructed the employees and customers near the lobby area to crawl on their hands and knees. A male employee stated that UNSUB shouted, "Don't you f---ing look at me, I swear to God I'll kill you. I don't have any kids, it's not ya'lls money, we in, we out."

- entered the vestibule area of the PNC Bank, where the male customer was met by GOOCH who had followed the male customer into the bank. The male customer stated that GOOCH told the male customer to, "Come on in." Once inside the bank, the male customer was told by GOOCH to lie down in the back of the bank. A male employee described GOOCH as wearing grey sweatpants, reading glasses and blue and red baseball hat. The description of the baseball hat and the glasses matched the clothing worn by GOOCH depicted in the PNC Bank camera surveillance still photographs, time stamped 11:40 a..m., when GOOCH initially entered the PNC Bank with UNSUB approximately 20 minutes earlier.
- 11. Once GOOCH was inside the bank, a male employee heard GOOCH instruct another male employee to open the door which allows access behind the teller counter (the teller counter is enclosed with bullet resistant glass and access behind the teller counter is through a door next to the teller counter). The male employee then heard GOOCH demand, "I want the

vault. I want all the money." A female teller stated that GOOCH told her to "get down" and told her, "Don't look at me." The female teller, in fear for her life and knowing that GOOCH was robbing the bank, complied with GOOCH's demand and assumed a crouched position on the ground. The female teller stated GOOCH was carrying a silver and black handgun and at one point during the robbery, put the gun to the female teller's neck. A second female employee stated that GOOCH, upon observing a panic button, stated, "I hope you guys didn't call the police because I'll kill all of you and the police because I don't have any kids and I don't have anything to live for."

- 12. During the robbery, employees observed UNSUB and GOOCH enter the PNC Bank vault. As GOOCH and UNSUB were exiting the bank, a female employee heard either GOOCH or UNSUB drop a box that had been carried from out from the vault by either GOOCH or UNSUB.
- 13. On February 22, 2013, while on scene at PNC Bank, Affiant and members of the FBI/ Cuyahoga Violent Crime Task Force observed currency left behind by GOOCH and UNSUB during the robbery, located in various parts of the bank, including the teller area, the lobby area and within the vault. Your Affiant observed a cardboard box containing a large sum of currency in the bank lobby area that had been left by GOOCH and UNSUB after the robbery. Members of the FBI/Cuyahoga Violent Crime Task Force recovered the currency that had been left behind during the robbery. PNC Bank employees conducted an audit of the money left behind by GOOCH and UNSUB which totaled \$107,780 in United States currency.
- 14. On February 22, 2013, a member of the FBI/ Cuyahoga Violent Crime Task Force received a loss audit that was conducted after the robbery by a PNC Bank employee. The audit listed the loss from the robbery as \$158,831 in United States currency.

- 15. On February 26, 2013, a member of the FBI Cuyahoga Violent Crime Task Force received a copy of the PNC Bank surveillance video, dated February 22, 2013, from a PNC Bank employee.
- 16. On February 26, 2013, your Affiant reviewed the bank surveillance video from the PNC Bank robbery on February 22, 2013. The color bank surveillance video did not contain audio. The PNC Bank surveillance video depicts the following:
 - a. 12:02:24 p.m.-12:03:01 p.m.: UNSUB, wearing a grey colored hooded sweatshirt with the hood covering his head, a grey colored flat brimmed baseball hat with the insignia "LA" and sticker attached to the top portion of the baseball hat's brim, black gloves, black half face mask, and dark colored boots, carrying a black/silver semiautomatic handgun, enters the vestibule area of PNC Bank. UNSUB enters the main doors of PNC Bank, brandishes the black/silver semiautomatic handgun and paces back and forth in the lobby area of PNC Bank.
 - b. 12:02:35 p.m.: Employees of PNC Bank are crouching and/or laying on the floor after UNSUB enters PNC Bank brandishing the black/silver semiautomatic handgun.
 - c. 12:03:01 p.m.: PNC Bank ATM video depicts GOOCH, wearing a black jacket with white trim, black glasses, blue/red Cleveland Indians baseball hat, light colored pants, black gloves, dark colored boots, and wearing a tan/khaki colored backpack, walk across Harvard Avenue towards PNC Bank.
 - d. 12:03:11 p.m.: PNC Bank ATM video depicts GOOCH approach the trash receptacle located next to the ATM machine. GOOCH appears to retrieve an item from his jacket pocket and place the item inside the trash receptacle.

- e. 12:03:14 p.m.: A customer enters the PNC Bank vestibule area. The customer opens the door that allows access to the lobby area, looks into the lobby area, turns around, and appears to try to leave the vestibule area.
- f. 12:03:20 p.m.-12:03:27 p.m.: GOOCH meets the customer in the vestibule area.

 The customer, with his arms raised, is forced into PNC Bank by GOOCH.
- g. 12:03:27p.m.-12:03:36 p.m.: GOOCH, with one hand on the customer's back, walks the customer across the lobby floor and forces the customer onto the lobby floor of PNC Bank.
- h. 12:03:52-12:04:10 p.m.: GOOCH, carrying a black/silver semiautomatic handgun, walks across the lobby floor towards a customer who had just entered the PNC Bank lobby area from the front doors. The customer, who originally lies on the ground near the front doors, gets to his feet and is followed by GOOCH, carrying the black/silver semiautomatic handgun, across the lobby floor. The customer then lies on the ground in front of teller window 1.
- i. 12:04:03 p.m.-12:04:15 p.m.: UNSUB, carrying a black/silver semiautomatic handgun, enters the PNC Bank vault. The main vault door is open as well as in inner black gate that allows access inside the vault. The UNSUB appears to motion with the black/silver semiautomatic handgun for two employees to enter the PNC Bank vault. The male employee and female employee enter the PNC Bank vault, followed by UNSUB. The male employee then appears to unlock a door located in the back of the PNC Bank vault.
- j. 12:04:28 p.m.-12:04:58 p.m.: GOOCH walks across the lobby floor towards the front doors of PNC Bank carrying the black/silver semiautomatic handgun. A

customer enters the doors allowing access to the lobby area of the bank. GOOCH approaches the customer and walks the customer across the lobby floor out of camera view.

- k. 12:04:58 p.m.-12:05:45 p.m.: UNSUB crouches and begins to retrieve currency from a safe located on the floor within the PNC Bank vault. A second female employee, wearing red pants, enters the PNC Bank vault and crouches next to UNSUB. UNSUB takes a cardboard box, located in the PNC Bank vault, dumps the content of the cardboard box onto the vault floor, and begins to toss currency into the cardboard box. The second female employee retrieves a white plastic bag from within the PNC Bank vault and appears to begin putting currency into the bag. UNSUB takes the white plastic bag from the second female employee and tosses it into the corner of the floor of the PNC Bank vault. The second female employee hands UNSUB currency from the safe who in turn places the currency into the cardboard box.
- 12:05:46 p.m.-12:04:47 p.m.: UNSUB picks up the cardboard box containing the currency from the safe. UNSUB, carrying the cardboard box with both hands, exits the PNC Bank vault.
- m. 12:06:09 p.m.-12:07:00 p.m.: GOOCH enters the PNC Bank vault. GOOCH approaches the second female employee who is crouching in front of the safe located on PNC Bank vault floor. GOOCH is observed holding currency in his left hand after interacting with the second female employee. GOOCH exits the PNC Bank vault with currency in his left hand.
- n. 12:06:43 p.m.-12:06:44 p.m.: UNSUB is holding the tan/khaki colored backpack,

worn by GOOCH when GOOCH entered the PNC Bank, in his right hand and a blue bag with pattern design in his left hand.

- o. 12:06:46 p.m.-12:06:52 p.m.: UNSUB, carrying the tan/khaki colored backpack and blue bag with pattern design with his left arm and black/silver semiautomatic handgun in his right hand, runs across the lobby floor towards the front doors of PNC Bank. UNSUB enters the vestibule area and continues to run towards the front doors of PNC Bank out of camera frame.
- p. 12:06:57 p.m.-12:07:07 p.m.: PNC Bank ATM video depicts UNSUB run across Harvard Avenue, run up a driveway and disappear behind a building located directly across the street of PNC Bank.
- q. 12:07:17 p.m.-12:07:30 p.m.: GOOCH walks across the lobby floor, carrying the black/silver semiautomatic handgun in his right hand, towards the front doors of PNC Bank. A customer enters the vestibule area and opens the door allowing access to the lobby area. GOOCH, with both hands in his jacket pockets, makes physical contact with the customer as the customer enters the PNC Bank lobby area. GOOCH continues to walk towards the front doors of PNC Bank and walks out of camera frame.
- r. 12:07:57 p.m.-12:08:07 p.m.: PNC Bank ATM video depicts GOOCH enter the camera frame from the left, walk up the same driveway as UNSUB, and disappear behind the same building as UNSUB, located directly across the street from PNC Bank.
- 17. Affiant is aware that all of the deposits at PNC Bank were, at the time of these robberies, and remain, insured by the Federal Deposit Insurance Corporation (FDIC).

B. Identification of Gooch

- 18. On January 21, 2013, the Roses Department store, located at 3250 West 65th Street, Cleveland, Ohio, was robbed by an unknown black male with a handgun. The loss from the robbery was \$17,000 in United States currency.
- 19. During the investigation, Cleveland Police identified Larnell A. Tripp, Jr., also known as "Booman" (Tripp, Jr.) as the robber in the Roses Department Store robbery. Further, Cleveland Police identified Ashley White (White), an employee at Roses Department Store, as having involvement in the Roses Department store robbery. White is the girlfriend of Tripp, Jr. and mother of Tripp, Jr.'s son.
- 20. On March 21, 2013, Cleveland Police interviewed White at the Roses Department store. After the interview, Cleveland Police arrested White, charging her with obstruction of justice.
- 21. While at the Cleveland Police station, White asked detectives why they were concerned with her and not "the big money." When detectives inquired as to what White was talking about, White told Cleveland Police detectives that "Moochie" and "Booman" were involved in the PNC Bank robbery.
- 22. After receiving the information from Cleveland Police, a member of the FBI/Cuyahoga Violent Crimes Task Force identified White's Facebook page. White's Facebook page, which is open to public viewing, listed a Facebook friend as "Moochie Godallmighty Gooch." The public profile picture for "Moochie Godallmighty Gooch" depicted a black male wearing black and grey Chicago White Sox winter hat, red, blue, white and black vest, dark colored shirt or jacket under the vest, and dark colored pants.

- 23. On March 26, 2013, a member of the FBI/Cuyahoga Violent Crimes Task Force queried the Ohio Law Enforcement Gateway (OHLEG) database for "Gooch" and identified an individual resembling the Facebook public profile photograph as Eric Gooch, date of birth 1991. The individual depicted in the OHLEG photograph for Eric Gooch also resembled the taller unknown black male wearing the blue and red Cleveland Indians baseball hat, black glasses, black jacket with white trim, black gloves, and light colored pants, carrying the black/silver handgun during the PNC Bank robbery.
- 24. On March 26, 2013, Affiant requested FBI Cleveland Division dispatch to query the LEADS database for Eric Gooch, date of birth 1991. The results of the query listed GOOCH as having an outstanding local warrant, issued by the Cuyahoga County Sheriff's Office.
- 25. During the investigation, it was discovered that GOOCH is the cousin of White and that White and GOOCH had lived together at White's sister's residence.
 - C. Gooch Arrest and Interview
- 26. On April 8, 2013, Affiant and members of the FBI/ Cuyahoga Violent Crimes
 Task Force arrested GOOCH at the Express Inn, Room 128, 4511 Northfield Road, Warrensville
 Heights, Ohio, pursuant to the locally authorized warrant issued by the Cuyahoga County
 Sheriff's Office. During the arrest, members of the FBI/Cuyahoga Violent Crimes Task Force
 located, in plain view, a loaded .40 caliber Smith and Wesson handgun, black and silver in color,
 with magazine and live rounds, and \$55.00 United States currency. The 40 caliber Smith and
 Wesson handgun, black and silver in color, resembled the handgun used by GOOCH during the
 PNC Bank robbery, as depicted in the PNC Bank surveillance photographs and video.
- 27. On April 8, 2013, prior to being transported to the FBI Cleveland Division office, GOOCH asked that his personal belongings, located in a purple suitcase, be collected by the FBI

Cuyahoga Violent Crime Task Force and returned to a friend or family member. GOOCH was advised by a member of the FBI Cuyahoga Violent Crime Task Force that a thorough search of the bag for dangerous items or contraband would have to be completed prior to the FBI Cuyahoga Violent Crime Task Force taking custody of the purple suitcase. GOOCH stated he understood and verbally consented to the search. Thereafter, a member of the FBI Cuyahoga Violent Crime Task Force located a stack of United States currency in a front zippered pouch bound with rubber bands totaling \$1,120 in United States currency, which was seized and placed into FBI Cleveland Division evidence.

- 28. On April 8, 2013, your Affiant interviewed GOOCH. Prior to interviewing GOOCH, he was advised of his rights pursuant to a FBI FD-395: "Advice of Rights" (Miranda Waiver). GOOCH signed the FD-395 and agreed to speak to with FBI Special Agents. GOOCH stated that he, along with two others, committed the PNC Bank robbery on February 22, 2013.
- 29. During the interview, GOOCH stated that Accomplice No. 2 formulated the idea to rob PNC Bank and originally planned to have GOOCH rob PNC Bank alone. GOOCH advised that Accomplice No. 2 then asked Accomplice No. 1 to participate in the robbery as well.
- 30. On February 22, 2013, GOOCH, Accomplice No. 1 and Accomplice No. 2 rode in Accomplice No. 2's vehicle, to a street located near PNC Bank. GOOCH stated that he and Accomplice No. 1 exited Accomplice No. 2's vehicle, walked through the yard of a residence, walked out from behind a building directly across the street from PNC Bank, and then walked across Harvard Avenue and entered PNC Bank to surveil the bank. Upon entering PNC Bank, GOOCH stated that he and Accomplice No. 1 were told to remove their hoods, which "freaked out" GOOCH. After GOOCH received change from the teller, GOOCH and Accomplice No. 1

 walked back towards Accomplice No. 2 and the vehicle. After GOOCH and Accomplice No. 1 were behind a building directly across the street from the PNC Bank, Accomplice No. 1 told GOOCH that Accomplice No. 1 still wanted to rob the PNC Bank. GOOCH told your Affiant that he was still "freaked out" by the confrontation with the security guard at the time that Accomplice No. 1 stated that he still wanted to rob the PNC Bank. GOOCH stated that Accomplice No. 1 told GOOCH that he and GOOCH were going to rob the bank. GOOCH stated that Accomplice No. 1 then turned, walked back around the building and began heading across Harvard Avenue towards PNC Bank, while GOOCH remained behind the building. GOOCH stated that approximately one minute later, GOOCH decided to rob the bank with Accomplice No. 1 and began heading across Harvard Avenue towards PNC Bank.

- 31. GOOCH was then shown bank surveillance photographs from the PNC Bank robbery, dated February 22, 2013. GOOCH identified himself as the male depicted in the bank surveillance photographs as wearing a red and blue Cleveland Indians baseball hat, black jacket with white trim, black gloves, black glasses, light colored pants, holding a black semiautomatic handgun. GOOCH then initialed "E.G." and dated "4/8/2013," to indicate that he was the male depicted in the bank surveillance photographs. When shown the bank surveillance photograph were GOOCH confronted a bank customer in the vestibule area and had the customer enter the bank with GOOCH, GOOCH stated that he remembered confronting the customer and having the customer enter the bank.
- 32. When asked the identity of UNSUB who was depicted entering PNC Bank wearing a grey hooded sweatshirt, grey flat brimmed baseball hat with "LA insignia", black gloves, mask, jeans and holding a black/silver semiautomatic handgun, GOOCH provided the

identity of the UNSUB. GOOCH then initialed the photograph with the UNSUB's initials and dated "4/08/13" to indicate that he identified the UNSUB in the surveillance photographs.

- 33. GOOCH stated that he remembered that he and Accomplice No. 1 entered PNC Bank's vault and grabbed money from the bank vault. GOOCH approximated that he (GOOCH) had taken at least \$10,000 in United States currency, possibly \$15,000 in United States currency from the bank vault. GOOCH further stated that he remembered seeing a box of money on the lobby floor but decided to keep walking towards the exit. During the interview, GOOCH stated that he remembered thinking after exiting the bank that he had just left a box of money on the floor and the whole point of the robbery was to steal money.
- 34. GOOCH told your Affiant that the handgun he used during the PNC Bank robbery was the same, loaded black/silver handgun found in the hotel room when GOOCH was arrested on April 8, 2013. GOOCH stated that he had bought the gun from Accomplice No. 2 prior to the PNC Bank robbery.
- 35. GOOCH further told Affiant that the money recovered by the FBI Cuyahoga Violent Crime Task Force was earned from taking photographs during photoshoots. However, GOOCH stated to your Affiant that he did not have regular employment.

D. Conclusion

36. Based on the foregoing facts, you Affiant has probable cause to believe that on or about February 22, 2013, ERIC GOOCH, did, by force, violence, and intimidation, take from the victim tellers bank monies belonging to, or in the care, custody, control, or possession of the aforementioned PNC Bank located in the Northern District of Ohio, Eastern Division, the deposits of which are insured by the Federal Deposit Insurance Corporation (FDIC), in violation of Title 18, U.S. Code, Section 2113(a) & (d). Further, you Affiant has probable cause to believe

	that on or about February 22, 2013, ERIC GOOCH did use or carry a firearm during the
	commission of a crime of violence in violation of Title 18, US Code, Section 924(c).
	Mark Land
	Michael R. Kurkjian, Special Agent Federal Bureau of Investigation Cleveland, Ohio
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	Subscribed and sworn to before me this <u>23rd</u> day of April 2013.
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1000	GREGORY A. WHITE
	United States Magistrate Judge
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